

ORIGINAL

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FILED
DISTRICT COURT OF GUAM

NOV 17 2006 *hbe*

MARY L.M. MORAN
CLERK OF COURT

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE TERRITORY OF GUAM**

13 UNITED STATES OF AMERICA,)
14)
15 Plaintiff,)
16)
17 vs.)
18)
19 TOO KA-KEUNG,)
20 Defendant.)

CRIMINAL CASE NO. 03-00044

**GOVERNMENT'S RESPONSE TO
PRESENTENCE INVESTIGATION
REPORT; AND MOTION FOR
ADDITIONAL ONE-LEVEL
DEPARTURE FOR
ACCEPTANCE OF RESPONSIBILITY**

21 Comes now the United States and adopts the findings of the Presentence Investigation Report
22 with the following exception:

23 The defendant has assisted authorities in the investigation and prosecution of his own
24 misconduct by notifying authorities of his intention to enter a plea of guilty, thereby permitting the
25 government to avoid preparing for trial and permitting the government and the court to allocate their
26 resources efficiently. Thus, paragraph 44 should reflect that an additional one-level decrease for
27 acceptance of responsibility under USSG § 3E1.1(b) is warranted.
28

1 Also, prior to the sentencing hearing, the government intends to file a downward departure
2 motion pursuant to USSG §5K1.1 and 18 U.S.C. § 3553(e).

3 Dated this 17 day of November 2006.

4
5 LEONARDO M. RAPADAS
6 United States Attorney
7 Districts of Guam and CNMI

8 By: 

MARIVIC P. DAVID
Assistant U.S. Attorney